

REMARKS

Applicant thanks Examiner for his examination of the pending application. Pursuant to the August 31, 2009 office action, Examiner has rejected certain of the pending claims under 35 U.S.C. Section 102(b) and 103(a) as being anticipated by, or unpatentable in light of, Lovejoy (the ‘186 Patent) and/or Meij (the ‘967 Patent). While Applicant respectfully traverses Examiner’s analysis and interpretation of the cited art, in an effort to further prosecution of the present case, Applicant has amended the claims in accordance with Examiner’s allowed claims (6, 10, 16-21, 33, and 37), as further discussed below. Applicant has additionally amended claim 38 to address Examiner’s 35 U.S.C. Section 112 rejection based upon insufficient antecedent basis for “said Vm site” and “said VnR site”.

Specifically, Applicant has:

1. Amended claim 1 to include the limitations of allowed claim 6 (which depended from claim 1). Accordingly, claims dependent on claim 1, including claims 2-5, 22-29, and 42-49, are allowable as well.
2. Amended allowed claims 10 and 16-21 to include all of the limitations of the independent and intervening claims upon which the dependent claims relied.
3. Amended claim 30 to include the limitations of allowed claim 33 (which depended from claim 30). Accordingly, claims dependent on claim 30, including claims 31, 32, 38, 39, 50, and 51 are allowable as well.
4. Amended claim 34 to include the limitations of allowed claim 37 (which depended from claim 30). Accordingly, claims dependent on claim 34, including claims 35, 36, 52, and 53 are allowable as well.
5. Deleted claims 6-9, 11-15, 33, 37, 40, 41, 54, and 55.

Applicant respectfully traverses Examiner’s rejection of claims 1-29, 34-37, 42-49, 52, and 53 under 35 U.S.C. Section 112. In its May 6, 2009 office action response, Applicant submitted amendments to the specification that corrected a nominal spelling error in the specification. Specifically, the word auxiliary was incidentally used in place

of axillary, a spelling error which persons of ordinary skill in the art would readily recognize, given the established usage of “axillary” (not auxiliary) in relation to ECG probe placement. Relying on this amendment, which has not been objected to by the Examiner, Applicant amended the claims. Therefore, Applicant submits there is specification support for the amended claims.

Accordingly, Applicant requests allowance of claims 1-5, 10, 16-32, 34-36, 38-39, and 42-53.

Respectfully submitted,



By _____.
Hazim Ansari
PatentMetrix
40,896